

# **Exhibit D**

May 13, 2008, Resolution to Adopt the  
Special Counsel's Findings of Fact

**RESOLUTION IN THE NAME OF THE DETROIT CITY COUNCIL  
TO ADOPT THE FINDINGS OF FACT IN SPECIAL COUNSEL'S REPORT  
OF MAY 5, 2008**

- WHEREAS,** On April 8, 10, and 11, 2008 this Honorable Body held Legislative Hearings regarding settlements in the *Brown, Nelthrope and Harris v. City of Detroit, et al* lawsuits, and heard testimony from John E. Johnson, Jr. Corporation Counsel; Valerie Colbert-Osamuede, Senior Assistant Corporation Counsel; Wilson Copeland, Outside Special Counsel for City of Detroit; Samuel McCargo, Outside Special Counsel for the Mayor; and Michael Stefani, Attorney for Plaintiffs; as well as from experts on ethics, public policy and litigation matters; and
- WHEREAS,** On May 5, 2008, the Detroit City Council's Special Counsel submitted to this Honorable Body a Report of findings regarding the Legislative Hearings, which outlined several acts of official misconduct by Mayor Kwame Kilpatrick and contained several recommendations regarding possible causes of action for this Honorable Body; and
- WHEREAS,** The Special Counsel's Report makes significant factual findings that this Honorable Body desires to adopt as its own findings; **NOW, THEREFORE, BE IT**
- RESOLVED,** That the Detroit City Council hereby adopts as its findings all factual findings contained in the Special Counsel's Report submitted May 5, 2008.